



Federal Communications Commission
Washington, D.C. 20554

June 22, 2021

DA 21-725

Arkady Sorokin, President
Slava Kosoy, Network Engineer
Nextcarrier Telecom, Inc.
11 Broadway, Suite 365
New York, NY 10004-1302

Via Certified Mail, Return Receipt Requested

**Re: Potential Reclamation of Nextcarrier Telecom, Inc.'s International Signaling
Point Code, 3-182-0 (New York, NY)**

Dear Messrs. Sorokin and Kosoy:

By this letter, we inform you of our intent to reclaim the above-captioned International Signaling Point Code (ISPC) provisionally assigned to Nextcarrier Telecom, Inc. (Nextcarrier) unless you respond to this letter within thirty (30) days, by **July 22, 2021**, and indicate whether Nextcarrier is still using the code.

The Federal Communications Commission (Commission), as the Administrator for the United States, assigns ISPCs for Signaling System No. 7 networks under ITU-T Recommendation Q.708.¹ In 2004, the Commission granted Nextcarrier's application for an ISPC in New York, NY and provisionally assigned it ISPC 3-182-0.² The Commission has explained that ISPCs are a scarce resource and "[a]s a result, code assignments are conditional upon their being used within one year lead time, so that the Commission can reassign unused codes to another carrier."³ Finally, ITU-T Recommendation Q.708 provides that the Commission should withdraw an ISPC assignment if the code is "no longer in use or required" by the operator, among other reasons.⁴

¹ International Telecommunication Union (ITU), ITU-T Recommendation Q.708 (03/99), Series Q: Switching and Signalling, Specifications of Signalling System No. 7—Message Transfer Part (MTP), Assignment procedures for international signalling point codes, <https://www.itu.int/rec/recommendation.asp?lang=en&parent=T-REC-Q.708-199903-I> (ITU-T Recommendation Q.708).

² Nextcarrier Telecom, Inc., File No. SPC-NEW-20040601-00020 (filed June 1, 2004) (Nextcarrier ISPC Application). Letter from Cathy Hsu, Policy Division, International Bureau, FCC to Mr. Arkady Sorokin, CTO, Nextcarrier Telecom Inc. (June 7, 2004) (*Nextcarrier Grant Letter*).

³ *Reporting Requirements for U.S. Providers of International Telecommunications Services; Amendment of Part 43 of the Commission's Rules*, Notice of Proposed Rulemaking, 19 FCC Rcd 6460, 6474, para. 36, n.83 (2004); *see also China Telecom (Americas) Corporation*, GN Docket No. 20-109 *et al.*, Order Instituting Proceedings on Revocation and Termination and Memorandum Opinion and Order, 35 FCC Rcd 15006, 15040, para. 58 (2020) ("ISPCs are a scarce resource that are used by international Signaling System 7 (SS7) gateways as addresses for routing domestic voice traffic to an international provider and anyone seeking an ISPC assignment is required by rule to file an application with the Commission and comply with its procedures.").

⁴ ITU-T Recommendation Q.708 at 6.

Pursuant to ITU-T Recommendation Q.708, the Commission also required Nextcarrier to make several certifications in its application for the ISPC. First, Nextcarrier certified that the “[c]ode assignments held in excess of 12 months without implementation must be returned to this Administrator for reassignment.”⁵ To confirm this, the International Bureau (Bureau) in a letter provisionally assigning the code to Nextcarrier on June 7, 2004, required Nextcarrier to inform the Bureau of the date the code was implemented.⁶ Second, Nextcarrier certified “[it is] aware that all ISPC assignments are provisional and that nobody has a property right in [an] ISPC [and it is] aware that the Commission may take an assigned ISPC and reassign it to another person.”⁷ Third, Nextcarrier certified that its failure to file an annual International Traffic Data Report would “be interpreted as inactive operation and could, therefore, result in the loss of the carrier’s point code assignment.”⁸ Despite these certifications, we have no record that Nextcarrier informed the Bureau of the date the code was implemented or filed any International Traffic Data Reports for the years 2009-2014.⁹

Between August 2020 and January 2021, Bureau staff made several attempts to contact Nextcarrier to ascertain whether it is using its assigned ISPC. On August 17, 2020, the staff sent inquiries to the email addresses on file, which were returned due to an unknown user error.¹⁰ On January 11 and 13, 2021, staff called Nextcarrier’s phone numbers on record, which are either no longer in service or the calls went unanswered.¹¹ Finally, staff viewed New York’s Department of State, Division of Corporations website, and according to that website, Nextcarrier was dissolved in 2011.¹² Based on our inability to contact a representative of Nextcarrier and the records of New York’s Department of State, we believe Nextcarrier is no longer in business and no longer using its assigned ISPC.

We request that you respond to this letter by **July 22, 2021**, and indicate the date the code was implemented and describe the current use of Nextcarrier’s ISPC (3-182-0). A failure to respond to this

⁵ Nextcarrier ISPC Application.

⁶ *Nextcarrier Grant Letter* at 2 (“[Y]our implementation and notification to this office must occur on or before June 7, 2005.”).

⁷ Nextcarrier ISPC Application. In its *Nextcarrier Grant Letter*, the Bureau reiterated the certifications, adding that “[u]nless this office is specifically notified of the actual implementation of assignments for planned future service, it will be assumed that those implementations did not occur and such assignments will expire, making those particular codes available for reassignment.” *Nextcarrier Grant Letter* at 2.

⁸ Nextcarrier ISPC Application.

⁹ In 2017, the Commission eliminated the requirement that U.S. providers of international telecommunications services file annual Traffic and Revenue Reports. *See Section 43.62 Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations*, IB Docket Nos. 17-55 & 16-131, Report and Order, 32 FCC Rcd 8115 (2017). Providers, including Nextcarrier, were required to file the final traffic and revenue data for calendar year 2015.

¹⁰ Email from Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau, to Slava Kosoy and Arkady Sorokin, Nextcarrier Telecom, Inc. (slava@nextcarrier.com, arkady@nextcarrier.com) (August 17, 2020, 9:34 AM); Return email from Mail Delivery Subsystem to Arthur Lechtman, Attorney-Advisor, Telecommunications and Analysis Division, International Bureau (August 17, 2020, 9:34 AM). *See also* Attachment A for unsuccessful attempts to reach Nextcarrier at alternative email addresses.

¹¹ Staff called the following telephone numbers: (212) 785-6623, (212) 709-4235, (212) 709-4223, and (718) 332-1595.

¹² *See* New York, Department of State, Division of Corporations, Search Our Corporation and Business Entity Database, https://appext20.dos.ny.gov/corp_public/CORPSEARCH.ENTITY_SEARCH_ENTRY.

letter will serve as confirmation that Nextcarrier is no longer using its provisionally assigned ISPC and has failed to comply with our ISPC requirements. Consistent with the terms of the ITU-T Recommendation Q.708, we will reclaim the ISPC (3-182-0) and immediately make the code available for reassignment if you fail to respond to this letter as requested. We are addressing this letter to the most recent contacts and addresses of record provided by Nextcarrier.

If you have any questions please contact me at (202) 418-7370 or Francis.Gutierrez@fcc.gov or my colleague Arthur Lechtman at (202) 418-1465 or Arthur.Lechtman@fcc.gov.

Sincerely,

/Francis Gutierrez/

Francis Gutierrez
Deputy Chief, Telecommunications and Analysis
Division
International Bureau

cc: Arkady Sorokin, President
Boris Kudryavsky, Vice President
Nextcarrier Telecom, Inc.
3065 Brighton 14th Street, 2nd Floor
Brooklyn, NY 11235

Arkady Sorokin
Boris Kudryavsky
Nextcarrier Telecom, Inc.
11 Broadway, Suite 1568
NY, NY 10004

Nextcarrier Telecom, Inc.
11 Broadway
Floor 18
New York City, NY 10004

David O. Klein
Telecom Certification & Filing, Inc.
485 Madison Avenue
15th Floor
NY, NY 10022

Attachment A

Email Exchange 1

-----Original Message-----

From: Mail Delivery Subsystem <MAILER-DAEMON@mx0a-0024ed01.pphosted.com>
Sent: Monday, August 17, 2020 9:34 AM
To: prvs=5498302831=arthur.lechtman@fcc.gov
Subject: Returned mail: see transcript for details

The original message was received at Mon, 17 Aug 2020 13:34:10 GMT from m0102176.pops.net [127.0.0.1]

----- The following addresses had permanent fatal errors ----- <slava@nextcarrier.com>
(reason: 550 5.1.1 <slava@nextcarrier.com> Recipient not found.

<https://urldefense.proofpoint.com/v2/url?u=http-3A__x.co_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx_JPBXwqbNdDzoMf2egvzTM&m=jlqgjbjPdnyKH1iyiP0haLmTTIUBpC5Q3yxQPD4VRV0&s=P0fMVC0qwx5X3qGzaNL9HTJjkEAjtSeiUbQk40mz6cE&e=>> <arkady@nextcarrier.com>

(reason: 550 5.1.1 <arkady@nextcarrier.com> Recipient not found.
<https://urldefense.proofpoint.com/v2/url?u=http-3A__x.co_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx_JPBXwqbNdDzoMf2egvzTM&m=jlqgjbjPdnyKH1iyiP0haLmTTIUBpC5Q3yxQPD4VRV0&s=P0fMVC0qwx5X3qGzaNL9HTJjkEAjtSeiUbQk40mz6cE&e=>>)

----- Transcript of session follows ----- ... while talking to smtp.secureserver.net.:

>>> RCPT To:<arkady@nextcarrier.com>
<<< 550 5.1.1 <arkady@nextcarrier.com> Recipient not found.
<https://urldefense.proofpoint.com/v2/url?u=http-3A__x.co_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx_JPBXwqbNdDzoMf2egvzTM&m=jlqgjbjPdnyKH1iyiP0haLmTTIUBpC5Q3yxQPD4VRV0&s=P0fMVC0qwx5X3qGzaNL9HTJjkEAjtSeiUbQk40mz6cE&e=>>
550 5.1.1 <arkady@nextcarrier.com>... User unknown
>>> RCPT To:<slava@nextcarrier.com>
<<< 550 5.1.1 <slava@nextcarrier.com> Recipient not found.
<https://urldefense.proofpoint.com/v2/url?u=http-3A__x.co_irbounce&d=DwIBAg&c=y0h0omCe0jAUGr4gAQ02Fw&r=LgaPB62cnAL6aGQ2Ex5mx_JPBXwqbNdDzoMf2egvzTM&m=jlqgjbjPdnyKH1iyiP0haLmTTIUBpC5Q3yxQPD4VRV0&s=P0fMVC0qwx5X3qGzaNL9HTJjkEAjtSeiUbQk40mz6cE&e=>>
550 5.1.1 <slava@nextcarrier.com>... User unknown
>>> DATA
<<< 503 5.5.0 need RCPT before DATA

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Sent: Monday, August 17, 2020 9:34 AM
To: slava@nextcarrier.com; arkady@nextcarrier.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
Subject: international signaling point code for NY, NY (file no. SPC-NEW-20040601-00020)

Hello,

I am writing to inquire whether Nextcarrier Telecom, Inc. is still using the international signaling point code that it was assigned in 2004 (3-182-0 for use in NY, NY). Please let me know by email or call me at the number below if you have any questions. Thank you,

Artie Lechtman

Federal Communications Commission
International Bureau
202.418.1465

*****Non-Public/For Internal Use Only*****

Email Exchange 2

From: Microsoft Outlook
<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@fccoffice.onmicrosoft.com>
Sent: Friday, January 8, 2021 4:28 PM
To: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Subject: Relayed: FW: international signaling point code for NY, NY (file no. SPC-NEW-20040601-00020)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

dklein@telfile.com (dklein@telfile.com)

Subject: FW: international signaling point code for NY, NY (file no. SPC-NEW-20040601-00020)

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Sent: Friday, January 8, 2021 4:28 PM
To: dklein@telfile.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
Subject: FW: international signaling point code for NY, NY (file no. SPC-NEW-20040601-00020)

Hello Mr. Klein-

I am writing to you as you are listed as counsel on Nextcarrier Telecom, Inc.'s international section 214 application (ITC-214-20030113-00018), filed in 2003. I am trying to locate a contact at Nextcarrier in order to ascertain the status of its international signaling point code. The email I sent below was returned as undeliverable. Thank you for any information you may have.

Artie Lechtman

Federal Communications Commission

International Bureau
202.418.1465

*****Non-Public/For Internal Use Only*****

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Sent: Monday, August 17, 2020 9:34 AM
To: slava@nextcarrier.com; arkady@nextcarrier.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
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Artie Lechtman

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202.418.1465

*****Non-Public/For Internal Use Only*****

Email Exchange 3

From: Microsoft Outlook
<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@fccoffice.onmicrosoft.com>
Sent: Monday, January 11, 2021 3:58 PM
To: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Subject: Relayed: Nextcarrier Telecom, Inc. international signaling point code for NY, NY (file no. SPC-NEW-20040601-00020)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

boris@bkic.us (boris@bkic.us)

bkudry@gmail.com (bkudry@gmail.com)

Subject: Nextcarrier Telecom, Inc. international signaling point code for NY, NY (file no. SPC-NEW-20040601-00020)

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Sent: Monday, January 11, 2021 3:58 PM
To: boris@bkic.us; bkudry@gmail.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
Subject: Nextcarrier Telecom, Inc. international signaling point code for NY, NY (file no. SPC-NEW-20040601-00020)

Hello Mr. Kudryavsky,

I am with the International Bureau of the Federal Communications Commission. We have been attempting to reach representatives of Nextcarrier Telecom, Inc. to ascertain the status of the international signaling point code (ISPC 3-182-0) that it was assigned for use in NY, NY in 2004 (file no. SPC-NEW-20040601-00020). The emails we sent below were not deliverable. Please let us know if the ISPC is currently in use. You can email or call me with any questions. Thank you.

Artie Lechtman
Federal Communications Commission
International Bureau
Telecommunications and Analysis Division
202.418.1465

Non-Public/For Internal Use Only

From: Arthur Lechtman <Arthur.Lechtman@fcc.gov>
Sent: Friday, January 8, 2021 4:28 PM
To: dklein@telfile.com
Cc: Francis Gutierrez <Francis.Gutierrez@fcc.gov>; Stacey Ashton <Stacey.Ashton@fcc.gov>
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